

1 20.923 (12) (title) OTHER DEPARTMENT OF ~~REGULATION AND LICENSING~~ SAFETY AND
2 PROFESSIONAL SERVICES POSITIONS.

3 **SECTION 250.** 23.15 (1) of the statutes is amended to read:

4 23.15 (1) The natural resources board may sell, at public or private sale, lands
5 and structures owned by the state under the jurisdiction of the department of natural
6 resources, except central or district office facilities, when the natural resources board
7 determines that ~~said~~ the lands are no longer necessary for the state's use for
8 conservation purposes ~~and, if real property, the real property is not the subject of a~~
9 petition under s. ~~560.9810~~ (2).

10 **SECTION 251.** 23.167 (2) (intro.) of the statutes is amended to read:

11 23.167 (2) (intro.) The department, in consultation with the ~~department of~~
12 ~~commerce~~ Wisconsin Economic Development Corporation, shall do all of the
13 following for each economic development program administered by the department:

14 **SECTION 252.** 23.169 (title) of the statutes is amended to read:

15 **23.169** (title) **Economic development assistance coordination and**
16 **reporting.**

17 **SECTION 253.** 23.169 of the statutes is renumbered 23.169 (2) and amended to
18 read:

19 23.169 (2) Annually, no later than October 1, the department shall submit to
20 the joint legislative audit committee and to the appropriate standing committees of
21 the legislature under s. 13.172 (3) a comprehensive report assessing economic
22 development programs, as defined in s. 23.167 (1), administered by the department.
23 The report shall include all of the information required under s. ~~560.01 (2) (am)~~
24 238.07 (2). The department shall collaborate with the ~~department of commerce~~

1 Wisconsin Economic Development Corporation to make readily accessible to the
2 public on an Internet-based system the information required under this section.

3 **SECTION 254.** 23.169 (1) of the statutes is created to read:

4 23.169 (1) The department shall coordinate any economic development
5 assistance with the Wisconsin Economic Development Corporation.

6 **SECTION 255.** 25.17 (70) (intro.) of the statutes is amended to read:

7 25.17 (70) (intro.) No later than December 31 of every even-numbered year,
8 ~~after receiving a report from the department of commerce under s. 560.08 (2) (m) and~~
9 ~~in consultation with the department of commerce,~~ submit to the governor and to the
10 presiding officer of each house of the legislature a plan for making investments in
11 this state. The purpose of the plan is to encourage the board to make the maximum
12 amount of investments in this state, subject to s. 25.15 and consistent with the
13 statutory purpose of each trust or fund managed by the board. The plan shall discuss
14 potential investments to be made during the succeeding 5 years beginning in the
15 year after submittal of the plan, and shall include, but not be limited to, the following:

16 **SECTION 256.** 25.17 (70) (a) of the statutes is repealed.

17 **SECTION 257.** 25.17 (70) (d) of the statutes is amended to read:

18 25.17 (70) (d) Comments solicited from the ~~secretary of commerce~~ chief
19 executive officer of the Wisconsin Economic Development Corporation and received
20 by the board on or before November 30 of the year of submittal.

21 **SECTION 258.** 25.185 (1) (a) of the statutes is amended to read:

22 25.185 (1) (a) "Disabled veteran-owned financial adviser" means a financial
23 adviser certified by the department of ~~commerce~~ safety and professional services
24 under s. ~~560.0335~~ 490.02 (3).

25 **SECTION 259.** 25.185 (1) (b) of the statutes is amended to read:

1 25.185 (1) (b) "Disabled veteran-owned investment firm" means an
2 investment firm certified by the department of ~~commerce~~ safety and professional
3 services under s. ~~560.0335~~ 490.02 (3).

4 **SECTION 260.** 25.185 (1) (c) of the statutes is amended to read:

5 25.185 (1) (c) "Minority financial adviser" means a financial adviser certified
6 by the department of ~~commerce~~ safety and professional services under s. ~~560.036~~
7 490.04 (2).

8 **SECTION 261.** 25.185 (1) (d) of the statutes is amended to read:

9 25.185 (1) (d) "Minority investment firm" means an investment firm certified
10 by the department of ~~commerce~~ safety and professional services under s. ~~560.036~~
11 490.04 (2).

12 **SECTION 262.** 25.47 (5) of the statutes is amended to read:

13 25.47 (5) The moneys transferred from the appropriation account under s.
14 ~~20.143~~ (3) 20.165 (2) (s).

15 **SECTION 263.** 26.02 (1) (intro.) of the statutes is amended to read:

16 26.02 (1) DUTIES. (intro.) The council on forestry shall advise the governor, the
17 legislature, the department of natural resources, ~~the department of commerce,~~ and
18 other state agencies, as determined to be appropriate by the council, on all of the
19 following topics as they affect forests located in this state:

20 **SECTION 264.** 26.37 (1) (intro.) of the statutes is amended to read:

21 26.37 (1) (intro.) The department of natural resources ~~and the department of~~
22 ~~commerce~~ shall ~~jointly~~ develop a plan to establish a lake states wood utilization
23 consortium to provide research, development, and demonstration grants to enhance
24 the forest products industry in Wisconsin and other states. The plan shall do all of
25 the following:

1 **SECTION 265.** 26.37 (1) (b) of the statutes is amended to read:

2 26.37 (1) (b) Establish an implementation committee for the consortium.
3 Members of the committee may include one or more representatives from the
4 department of natural resources, the ~~department of commerce~~ Wisconsin Economic
5 Development Corporation, and the forest products industry.

6 **SECTION 266.** 26.37 (2) of the statutes is amended to read:

7 26.37 (2) The department of natural resources may not expend moneys from
8 the appropriations under s. 20.370 (5) (ax) or (6) (bt), 1997 stats., unless the
9 department of natural resources and the ~~department of commerce~~ Wisconsin
10 Economic Development Corporation first submit to the joint committee on finance
11 the plan required under sub. (1). If the cochairpersons of the joint committee on
12 finance do not notify the department of natural resources within 14 working days
13 after the date of the ~~departments'~~ submittal of the plan that the committee has
14 scheduled a meeting to review the plan, the plan may be implemented and moneys
15 may be expended as proposed by the department of natural resources. If, within 14
16 days after the date of the ~~departments'~~ submittal of the plan, the cochairpersons of
17 the committee notify the department of natural resources that the committee has
18 scheduled a meeting to review the plan, moneys may be expended only after the plan
19 has been approved by the committee.

20 **SECTION 267.** 30.121 (3w) (b) of the statutes is amended to read:

21 30.121 (3w) (b) The boathouse is located on land zoned exclusively for
22 commercial or industrial purposes or the boathouse is located on a brownfield, as
23 defined in s. ~~560.13~~ 238.13 (1) (a), or in a blighted area, as defined in s. 66.1331 (3)
24 (a).

25 **SECTION 268.** 30.126 (5) (h) of the statutes is amended to read:

1 30.126 (5) (h) *May not have improper toilets.* No person may construct, place
2 or maintain a fishing raft on authorized portions of the Wolf River if the fishing raft
3 is equipped with a toilet which permits toilet waste to be disposed of in the waterway.
4 A toilet on a fishing raft shall comply with rules of the department of ~~commerce~~ safety
5 and professional services as if the toilet were on a boat.

6 **SECTION 269.** 30.443 (1) (a) of the statutes is amended to read:

7 30.443 (1) (a) Promulgate rules establishing standards for erosion prevention
8 or control at sites in the riverway that are not subject to the standards established
9 under s. 101.1206 (1) or 101.653 (2) or 281.33 (3m) (a) and that have a natural slope
10 of 20% or less.

11 **SECTION 270.** 30.443 (1) (b) of the statutes is amended to read:

12 30.443 (1) (b) Promulgate rules establishing standards for erosion prevention
13 or control that are in addition to standards established under ss. 101.1206 (1) and
14 101.653 (2) and 281.33 (3m) (a) for sites in the riverway that are subject to those
15 standards and that have a natural slope of 12% or more but 20% or less.

16 **SECTION 271.** 30.443 (2) of the statutes is amended to read:

17 30.443 (2) The board may impose any of the applicable standards established
18 under sub. (1) (a) or (b) or ss. 101.1206 (1) or 101.653 (2) or 281.33 (3m) (a) as a
19 condition for receiving a permit under s. 30.44 (1), and the board may promulgate
20 rules to enforce these standards in the riverway.

21 **SECTION 272.** 30.71 (4) of the statutes is amended to read:

22 30.71 (4) Any rules necessary to carry out the purposes of this section shall be
23 promulgated jointly by the department of ~~commerce~~ safety and professional services
24 and the department of natural resources.

25 **SECTION 273.** 32.19 (2) (b) of the statutes is amended to read:

1 32.19 (2) (b) "Comparable dwelling" means one which, when compared with the
2 dwelling being taken, is substantially equal concerning all major characteristics and
3 functionally equivalent with respect to: the number and size of rooms and closets,
4 area of living space, type of construction, age, state of repair, size and utility of any
5 garage or other outbuilding, type of neighborhood and accessibility to public services
6 and places of employment. "Comparable dwelling" shall meet all of the standard
7 building requirements and other code requirements of the local governmental body
8 and shall also be decent, safe and sanitary and within the financial means of the
9 displaced person, as defined by the department of ~~commerce~~ safety and professional
10 services.

11 **SECTION 274.** 32.19 (2) (e) 1. b. of the statutes is amended to read:

12 32.19 (2) (e) 1. b. As a result of rehabilitation, demolition or other displacing
13 activity, as determined by the department of ~~commerce~~ safety and professional
14 services, if the person is a tenant-occupant of a dwelling, business or farm operation
15 and the displacement is permanent.

16 **SECTION 275.** 32.19 (3) (b) 1. of the statutes is amended to read:

17 32.19 (3) (b) 1. 'Dwellings.' Any displaced person who moves from a dwelling
18 and who elects to accept the payments authorized by this paragraph in lieu of the
19 payments authorized by par. (a) may receive an expense and dislocation allowance,
20 determined according to a schedule established by the department of ~~commerce~~
21 safety and professional services.

22 **SECTION 276.** 32.19 (3) (b) 2. of the statutes is amended to read:

23 32.19 (3) (b) 2. 'Business and farm operations.' Any displaced person who
24 moves or discontinues his or her business or farm operation, is eligible under criteria
25 established by the department of ~~commerce~~ safety and professional services by rule

1 and elects to accept payment authorized under this paragraph in lieu of the payment
2 authorized under par. (a), may receive a fixed payment in an amount determined
3 according to criteria established by the department of ~~commerce~~ safety and
4 professional services by rule, except that such payment shall not be less than \$1,000
5 nor more than \$20,000. A person whose sole business at the displacement dwelling
6 is the rental of such property to others is not eligible for a payment under this
7 subdivision.

8 **SECTION 277.** 32.19 (3) (c) of the statutes is amended to read:

9 32.19 (3) (c) *Optional payment for businesses.* Any displaced person who moves
10 his or her business, and elects to accept the payment authorized in par. (a), may, if
11 otherwise qualified under par. (b) 2., elect to receive the payment authorized under
12 par. (b) 2., minus whatever payment the displaced person received under par. (a), if
13 the displaced person discontinues the business within 2 years of the date of receipt
14 of payment under par. (a), provided that the displaced person meets eligibility
15 criteria established by the department of ~~commerce~~ safety and professional services
16 by rule. In no event may the total combined payment be less than \$1,000 nor more
17 than \$20,000.

18 **SECTION 278.** 32.19 (4) (a) 2. of the statutes is amended to read:

19 32.19 (4) (a) 2. The amount of increased interest expenses and other debt
20 service costs incurred by the owner to finance the purchase of another property
21 substantially similar to the property taken, if at the time of the taking the land
22 acquired was subject to a bona fide mortgage or was held under a vendee's interest
23 in a bona fide land contract, and such mortgage or land contract had been executed
24 in good faith not less than 180 days prior to the initiation of negotiations for the
25 acquisition of such property. The computation of the increased interest costs shall

1 be determined according to rules promulgated by the department of ~~commerce~~ safety
2 and professional services.

3 **SECTION 279.** 32.19 (4) (b) (intro.) of the statutes is amended to read:

4 32.19 (4) (b) *Tenants and certain others.* (intro.) In addition to amounts
5 otherwise authorized by this subchapter, the condemnor shall make a payment to
6 any individual or family displaced from any dwelling which was actually and
7 lawfully occupied by such individual or family for not less than 90 days prior to the
8 initiation of negotiations for the acquisition of such property or, if displacement is not
9 a direct result of acquisition, such other event as determined by the department of
10 ~~commerce~~ safety and professional services by rule. For purposes of this paragraph,
11 a corporation organized under ch. 181 that is a nonprofit corporation, as defined in
12 s. 181.0103 (17), may, if otherwise eligible, be considered a displaced tenant. Subject
13 to the limitations under par. (bm), such payment shall be either:

14 **SECTION 280.** 32.19 (4m) (a) 2. of the statutes is amended to read:

15 32.19 (4m) (a) 2. The amount, if any, which will compensate such owner
16 displaced person for any increased interest and other debt service costs which such
17 person is required to pay for financing the acquisition of any replacement property,
18 if the property acquired was encumbered by a bona fide mortgage or land contract
19 which was a valid lien on the property for at least one year prior to the initiation of
20 negotiations for its acquisition. The amount under this subdivision shall be
21 determined according to rules promulgated by the department of ~~commerce~~ safety
22 and professional services.

23 **SECTION 281.** 32.19 (4m) (b) (intro.) of the statutes is amended to read:

24 32.19 (4m) (b) *Tenant-occupied business or farm operation.* (intro.) In addition
25 to amounts otherwise authorized by this subchapter, the condemnor shall make a

1 payment to any tenant displaced person who has owned and occupied the business
2 operation, or owned the farm operation, for not less than one year prior to initiation
3 of negotiations for the acquisition of the real property on which the business or farm
4 operation lies or, if displacement is not a direct result of acquisition, such other event
5 as determined by the department of ~~commerce~~ safety and professional services, and
6 who actually rents or purchases a comparable replacement business or farm
7 operation for the displaced business or farm operation within 2 years after the date
8 the person vacates the acquired property. At the option of the tenant displaced
9 person, such payment shall be either:

10 **SECTION 282.** 32.19 (4m) (b) 1. of the statutes is amended to read:

11 32.19 (4m) (b) 1. The amount, not to exceed \$30,000, which is necessary to lease
12 or rent a comparable replacement business or farm operation for a period of 4 years.
13 The payment shall be computed by determining the average monthly rent paid for
14 the property from which the person was displaced for the 12 months prior to the
15 initiation of negotiations or, if displacement is not a direct result of acquisition, such
16 other event as determined by the department of ~~commerce~~ safety and professional
17 services and the monthly rent of a comparable replacement business or farm
18 operation, and multiplying the difference by 48; or

19 **SECTION 283.** 32.197 of the statutes is amended to read:

20 **32.197 Waiver of relocation assistance.** An owner-occupant of property
21 being acquired may waive his or her right to receive any relocation payments or
22 services under this subchapter if the property being acquired is not contiguous to any
23 property which may be acquired by the condemnor and is not part of a previously
24 identified or proposed project where it is reasonable to conclude that acquisition by
25 the condemnor may occur in the foreseeable future. Prior to the execution of any

1 waiver under this section, the condemnor shall provide to the owner-occupant, in
2 writing, full information about the specific payments and services being waived by
3 the owner-occupant. The department of ~~commerce~~ safety and professional services
4 shall by rule establish procedures for relocation assistance waivers under this
5 section to ensure that the waivers are voluntarily and knowledgeably executed.

6 **SECTION 284.** 32.20 of the statutes is amended to read:

7 **32.20 Procedure for collection of itemized items of compensation.**

8 Claims for damages itemized in ss. 32.19 and 32.195 shall be filed with the
9 condemnor carrying on the project through which condemnee's or claimant's claims
10 arise. All such claims must be filed after the damages upon which they are based
11 have fully materialized but not later than 2 years after the condemnor takes physical
12 possession of the entire property acquired or such other event as determined by the
13 department of ~~commerce~~ safety and professional services by rule. If such claim is not
14 allowed within 90 days after the filing thereof, the claimant has a right of action
15 against the condemnor carrying on the project through which the claim arises. Such
16 action shall be commenced in a court of record in the county wherein the damages
17 occurred. In causes of action, involving any state commission, board or other agency,
18 excluding counties, the sum recovered by the claimant shall be paid out of any funds
19 appropriated to such condemning agency. Any judgment shall be appealable by
20 either party and any amount recovered by the body against which the claim was filed,
21 arising from costs, counterclaims, punitive damages or otherwise may be used as an
22 offset to any amount owed by it to the claimant, or may be collected in the same
23 manner and form as any other judgment.

24 **SECTION 285.** 32.25 (1) of the statutes is amended to read:

1 32.25 (1) Except as provided under sub. (3) and s. 85.09 (4m), no condemnor
2 may proceed with any activity that may involve the displacement of persons,
3 business concerns or farm operations until the condemnor has filed in writing a
4 relocation payment plan and relocation assistance service plan and has had both
5 plans approved in writing by the department of ~~commerce~~ safety and professional
6 services.

7 **SECTION 286.** 32.25 (2) (h) of the statutes is amended to read:

8 32.25 (2) (h) Assure that, within a reasonable time prior to displacement, there
9 will be available, to the extent that may reasonably be accomplished, housing
10 meeting the standards established by the department of ~~commerce~~ safety and
11 professional services for decent, safe and sanitary dwellings. The housing, so far as
12 practicable, shall be in areas not generally less desirable in regard to public utilities,
13 public and commercial facilities and at rents or prices within the financial means of
14 the families and individuals displaced and equal in number to the number of such
15 displaced families or individuals and reasonably accessible to their places of
16 employment.

17 **SECTION 287.** 32.26 (title) of the statutes is amended to read:

18 **32.26 (title) Authority of the department of ~~commerce~~ safety and**
19 **professional services.**

20 **SECTION 288.** 32.26 (1) of the statutes is amended to read:

21 32.26 (1) In addition to all other powers granted in this subchapter, the
22 department of ~~commerce~~ safety and professional services shall formulate local
23 standards for decent, safe and sanitary dwelling accommodations.

24 **SECTION 289.** 32.26 (2) (a) of the statutes is amended to read:

1 32.26 (2) (a) The department of ~~commerce~~ safety and professional services shall
2 promulgate rules to implement and administer ss. 32.19 to 32.27.

3 **SECTION 290.** 32.26 (2) (b) of the statutes is amended to read:

4 32.26 (2) (b) The department of ~~commerce~~ safety and professional services and
5 the department of transportation shall establish interdepartmental liaison
6 procedures for the purpose of cooperating and exchanging information to assist the
7 department of ~~commerce~~ safety and professional services in promulgating rules
8 under par. (a).

9 **SECTION 291.** 32.26 (3) of the statutes is amended to read:

10 32.26 (3) The department of ~~commerce~~ safety and professional services may
11 make investigations to determine if the condemnor is complying with ss. 32.19 to
12 32.27. The department may seek an order from the circuit court requiring a
13 condemnor to comply with ss. 32.19 to 32.27 or to discontinue work on that part of
14 the project which is not in substantial compliance with ss. 32.19 to 32.27. The court
15 shall give hearings on these actions precedence on the court's calendar.

16 **SECTION 292.** 32.26 (4) of the statutes is amended to read:

17 32.26 (4) Upon the request of the department of ~~commerce~~ safety and
18 professional services, the attorney general shall aid and prosecute all necessary
19 actions or proceedings for the enforcement of this subchapter and for the punishment
20 of all violations of this subchapter.

21 **SECTION 293.** 32.26 (5) of the statutes is amended to read:

22 32.26 (5) Any displaced person may, prior to commencing court action against
23 the condemnor under s. 32.20, petition the department of ~~commerce~~ safety and
24 professional services for review of his or her complaint, setting forth in the petition
25 the reasons for his or her dissatisfaction. The department may conduct an informal

1 review of the situation and attempt to negotiate an acceptable solution. If an
2 acceptable solution cannot be negotiated within 90 days, the department shall notify
3 all parties, and the petitioner may then proceed under s. 32.20. The informal review
4 procedure provided by this subsection is not a condition precedent to the filing of a
5 claim and commencement of legal action pursuant to s. 32.20. In supplying
6 information required by s. 32.25 (2) (d), the condemnor shall clearly indicate to each
7 displaced person his or her right to proceed under this paragraph and under s. 32.20,
8 and shall supply full information on how the displaced person may contact the
9 department of ~~eommerce~~ safety and professional services.

10 **SECTION 294.** 32.26 (6) of the statutes is amended to read:

11 32.26 (6) The department of ~~eommerce~~ safety and professional services, with
12 the cooperation of the attorney general, shall prepare pamphlets in simple language
13 and in readable format describing the eminent domain laws of this state, including
14 the reasons for condemnation, the procedures followed by condemnors, how citizens
15 may influence the condemnation process and the rights of property owners and
16 citizens affected by condemnation. The department shall make copies of the
17 pamphlets available to all condemnors, who may be charged a price for the
18 pamphlets sufficient to recover the costs of production.

19 **SECTION 295.** 32.26 (7) of the statutes is amended to read:

20 32.26 (7) The department of ~~eommerce~~ safety and professional services shall
21 provide technical assistance on relocation plan development and implementation to
22 any condemnor carrying out a project which may result in the displacement of any
23 person.

24 **SECTION 296.** 36.09 (1) (am) (intro.) of the statutes is amended to read:

1 36.09 (1) (am) (intro.) The board, in consultation with the ~~department of~~
2 ~~commerce~~ Wisconsin Economic Development Corporation, shall do all of the
3 following for each economic development program, as defined in s. 36.11 (29r) (a),
4 administered by the board:

5 **SECTION 297.** 36.11 (29r) (b) of the statutes is renumbered 36.11 (29r) (b) 2. and
6 amended to read:

7 36.11 (29r) (b) 2. Annually, no later than October 1, the board shall submit to
8 the joint legislative audit committee and to the appropriate standing committees of
9 the legislature under s. 13.172 (3) a comprehensive report assessing economic
10 development programs administered by the board. The report shall include all of the
11 information required under s. ~~560.01 (2) (am)~~ 238.07 (2). The board shall collaborate
12 with the ~~department of commerce~~ Wisconsin Economic Development Corporation to
13 make readily accessible to the public on an Internet-based system the information
14 required under this subsection.

15 **SECTION 298.** 36.11 (29r) (b) 1. of the statutes is created to read:

16 36.11 (29r) (b) 1. The board shall coordinate any economic development
17 assistance with the Wisconsin Economic Development Corporation.

18 **SECTION 299.** 36.25 (24) of the statutes is amended to read:

19 36.25 (24) EMPLOYEE-OWNED BUSINESSES PROGRAM. Through the University of
20 Wisconsin small business development center, in cooperation with the ~~department~~
21 ~~of commerce under s. 560.07 (2m)~~ Wisconsin Economic Development Corporation,
22 the technical college system board and the University of Wisconsin-Extension, the
23 board shall create, as needed, educational programs to provide training in the
24 management of employee-owned businesses and shall provide technical assistance
25 to employee-owned businesses in matters affecting their management and business

1 operations, including assistance with governmental relations and assistance in
2 obtaining management, technical and financial assistance.

3 **SECTION 300.** 36.25 (30) of the statutes is amended to read:

4 36.25 (30) POLLUTION PREVENTION. The board shall maintain in the extension
5 a solid and hazardous waste education center to promote pollution prevention, as
6 defined in s. 299.13 (1) (dm). In cooperation with the department of natural resources
7 and the department of commerce, the center shall conduct an education and
8 technical assistance program to promote pollution prevention in this state.

9 **SECTION 301.** 36.25 (49m) (c) of the statutes is amended to read:

10 36.25 (49m) (c) The center shall evaluate the effectiveness of the program
11 during the pilot period in promoting careers in math, science, agricultural education,
12 technology education, and information technology. If, based on the results of the
13 evaluation, the center determines that the program has been effective in promoting
14 such careers, the center may continue the program after the pilot period and may
15 expand the program by allowing participation by additional classrooms. The center
16 shall prepare a report regarding the evaluation and describing whether the center
17 has continued or expanded the program, and submit the report to the appropriate
18 standing committees of the legislature under s. 13.172 (3), the department of public
19 instruction, and the department of workforce development, ~~and the department of~~
20 ~~commerce.~~

21 **SECTION 302.** 36.34 (1) (a) 3. of the statutes is amended to read:

22 36.34 (1) (a) 3. Is a Hispanic, as defined in s. ~~560.036~~ 490.04 (1) (d).

23 **SECTION 303.** 38.04 (1m) (b) (intro.) of the statutes is amended to read:

1 38.04 (1m) (b) (intro.) The board, in consultation with the ~~department of~~
2 ~~commerce~~ Wisconsin Economic Development Corporation, shall do all of the
3 following for each economic development program administered by the board:

4 **SECTION 304.** 38.04 (4) (a) of the statutes is amended to read:

5 38.04 (4) (a) ~~Except as provided in par. (ag), the~~ The qualifications of
6 educational personnel and the courses of study for each program offered in district
7 schools shall be approved by the board. The board may charge the districts for the
8 full costs associated with certification of educational personnel. Such certification
9 expenses shall not be included in the district aidable cost.

10 **SECTION 305.** 38.04 (4) (ag) of the statutes is repealed.

11 **SECTION 306.** 38.04 (8) (a) of the statutes is amended to read:

12 38.04 (8) (a) In this subsection, "minority group member" has the meaning
13 given in s. ~~560.036~~ 490.04 (1) (f).

14 **SECTION 307.** 38.04 (10m) (title) of the statutes is amended to read:

15 38.04 (10m) (title) ECONOMIC DEVELOPMENT ASSISTANCE COORDINATION AND
16 REPORTING.

17 **SECTION 308.** 38.04 (10m) of the statutes is renumbered 38.04 (10m) (b) and
18 amended to read:

19 38.04 (10m) (b) Annually, no later than October 1, the board shall submit to
20 the joint legislative audit committee and to the appropriate standing committees of
21 the legislature under s. 13.172 (3) a comprehensive report assessing economic
22 development programs, as defined in sub. (1m) (a), administered by the board. The
23 report shall include all of the information required under s. ~~560.01 (2) (am)~~ 238.07
24 (2). The board shall collaborate with the ~~department of commerce~~ Wisconsin

1 Economic Development Corporation to make readily accessible to the public on an
2 Internet-based system the information required under this subsection.

3 **SECTION 309.** 38.04 (10m) (a) of the statutes is created to read:

4 38.04 **(10m)** (a) The board shall coordinate any economic development
5 assistance with the Wisconsin Economic Development Corporation.

6 **SECTION 310.** 38.26 (1) of the statutes is amended to read:

7 38.26 **(1)** In this section, "minority student" means a student enrolled in a
8 district school who is a minority group member, as defined in s. ~~560.036~~ 490.04 (1)
9 (f).

10 **SECTION 311.** 39.40 (1) (c) of the statutes is amended to read:

11 39.40 **(1)** (c) A Hispanic, as defined in s. ~~560.036~~ 490.04 (1) (d).

12 **SECTION 312.** 39.44 (1) (a) 3. of the statutes is amended to read:

13 39.44 **(1)** (a) 3. Is a Hispanic, as defined in s. ~~560.036~~ 490.04 (1) (d).

14 **SECTION 313.** 40.05 (4) (b) of the statutes is amended to read:

15 40.05 **(4)** (b) Except as provided under pars. (bc) and (bp), accumulated unused
16 sick leave under ss. 13.121 (4), 36.30, 230.35 (2), 233.10, 238.04 (8), and 757.02 (5)
17 and subch. I, V, or VI of ch. 111 of any eligible employee shall, at the time of death,
18 upon qualifying for an immediate annuity or for a lump sum payment under s. 40.25
19 (1) or upon termination of creditable service and qualifying as an eligible employee
20 under s. 40.02 (25) (b) 6. or 10., be converted, at the employee's highest basic pay rate
21 he or she received while employed by the state, to credits for payment of health
22 insurance premiums on behalf of the employee or the employee's surviving insured
23 dependents. Any supplemental compensation that is paid to a state employee who
24 is classified under the state classified civil service as a teacher, teacher supervisor,
25 or education director for the employee's completion of educational courses that have

1 been approved by the employee's employer is considered as part of the employee's
 2 basic pay for purposes of this paragraph. The full premium for any eligible employee
 3 who is insured at the time of retirement, or for the surviving insured dependents of
 4 an eligible employee who is deceased, shall be deducted from the credits until the
 5 credits are exhausted and paid from the account under s. 40.04 (10), and then
 6 deducted from annuity payments, if the annuity is sufficient. The department shall
 7 provide for the direct payment of premiums by the insured to the insurer if the
 8 premium to be withheld exceeds the annuity payment. Upon conversion of an
 9 employee's unused sick leave to credits under this paragraph or par. (bf), the
 10 employee or, if the employee is deceased, the employee's surviving insured
 11 dependents may initiate deductions from those credits or may elect to delay
 12 initiation of deductions from those credits, but only if the employee or surviving
 13 insured dependents are covered by a comparable health insurance plan or policy
 14 during the period beginning on the date of the conversion and ending on the date on
 15 which the employee or surviving insured dependents later elect to initiate
 16 deductions from those credits. If an employee or an employee's surviving insured
 17 dependents elect to delay initiation of deductions from those credits, an employee or
 18 the employee's surviving insured dependents may only later elect to initiate
 19 deductions from those credits during the annual enrollment period under par. (be).
 20 A health insurance plan or policy is considered comparable if it provides hospital and
 21 medical benefits that are substantially equivalent to the standard health insurance
 22 plan established under s. 40.52 (1).

23 **SECTION 314.** 40.05 (4) (bm) of the statutes is amended to read:

24 40.05 (4) (bm) Except as provided under par. (bp), accumulated unused sick
 25 leave under ss. 36.30 and 230.35 (2) ~~or~~ 233.10, or 238.04 (8) of any eligible employee

37.30

94 ***Note: This is reconciled s. 40.05 (4)(b). This section has been affected by drafts with the following LRB #s: 1187 and 1465

LPS: use
note: reconcile

shall, upon request of the employee at the time the employee is subject to layoff under s. 40.02 (40), be converted at the employee's highest basic pay rate he or she received while employed by the state to credits for payment of health insurance premiums on behalf of the employee. Any supplemental compensation that is paid to a state employee who is classified under the state classified civil service as a teacher, teacher supervisor or education director for the employee's completion of educational courses that have been approved by the employee's employer is considered as part of the employee's basic pay for purposes of this paragraph. The full amount of the required employee contribution for any eligible employee who is insured at the time of the layoff shall be deducted from the credits until the credits are exhausted, the employee is reemployed, or 5 years have elapsed from the date of layoff, whichever occurs first.

Note: This is reconciled s. 40.05 (4) (bm). This section has been affected by drafts with the following LRB #s: -1187 and -1465

SECTION 315. 40.05 (5) (b) 4. of the statutes is amended to read:

40.05 (5) (b) 4. The accrual and crediting of sick leave shall be determined in accordance with ss. 13.121 (4), 36.30, ^{37.30}230.35 (2), 233.10, 238.04 (8), and 757.02 (5) and subch. I, V, or VI of ch. 111.

Note: This is reconciled s. 40.05 (5) (b) 4. This section has been affected by drafts with the following LRB #s: -1187 and -1465

SECTION 316. 40.62 (2) of the statutes is amended to read:

40.62 (2) Sick leave accumulation shall be determined in accordance with rules of the department, any collective bargaining agreement under subch. I, V, or VI of ch. 111, and ss. 13.121 (4), 36.30, ^{37.30}49.825 (4) (d), 49.826 (4) (d), 230.35 (2), 233.10, 238.04 (8), 757.02 (5) and 978.12 (3).

Note: This is reconciled s. 40.62 (2). This section has been affected by drafts with the following LRB #s: -1187 and -1465

SECTION 317. 40.95 (1) (a) 1. of the statutes is amended to read:

40.95 (1) (a) 1. The employee accrues accumulated unused sick leave under s. 13.121 (4), 36.30, 230.35 (2), 233.10, 238.04 (8), or 757.02 (5).

SECTION 318. 41.11 (1g) (b) (intro.) of the statutes is amended to read:

Note: This is reconciled s. 40.95 (1) (a) 1. This section has been affected by drafts with the following LRB #s: -1187 and -1465

^{37.30}

LPS: vce note reconciliation

1 41.11 (1g) (b) (intro.) The department, in consultation with the ~~department of~~
2 ~~commerce~~ Wisconsin Economic Development Corporation, shall do all of the
3 following for each economic development program administered by the department:

4 **SECTION 319.** 41.11 (1r) (title) of the statutes is amended to read:

5 41.11 (1r) (title) ECONOMIC DEVELOPMENT ASSISTANCE COORDINATION AND
6 REPORTING.

7 **SECTION 320.** 41.11 (1r) of the statutes is renumbered 41.11 (1r) (b) and
8 amended to read:

9 41.11 (1r) (b) Annually, no later than October 1, the department shall submit
10 to the joint legislative audit committee and to the appropriate standing committees
11 of the legislature under s. 13.172 (3) a comprehensive report assessing economic
12 development programs, as defined in sub. (1g) (a), administered by the department.
13 The report shall include all of the information required under s. 560.01 (2) (am)
14 238.07 (2). The department shall collaborate with the ~~department of commerce~~
15 Wisconsin Economic Development Corporation to make readily accessible to the
16 public on an Internet-based system the information required under this subsection.

17 **SECTION 321.** 41.11 (1r) (a) of the statutes is created to read:

18 41.11 (1r) (a) The department shall coordinate any economic development
19 assistance with the Wisconsin Economic Development Corporation.

20 **SECTION 322.** 41.41 (4) (c) of the statutes is amended to read:

21 41.41 (4) (c) The department of agriculture, trade and consumer protection, the
22 department of natural resources, the department of transportation, ~~the department~~
23 ~~of commerce~~, the department of administration, the state historical society, and the
24 University of Wisconsin-Extension shall cooperate with and assist the board in
25 matters related to its functions.

1 **SECTION 323.** 41.41 (5) (e) of the statutes is amended to read:

2 41.41 (5) (e) Consult and cooperate with the department of agriculture, trade
3 and consumer protection, the department of natural resources, the department of
4 transportation, ~~the department of commerce~~, the department of administration, the
5 state historical society, the University of Wisconsin-Extension, any federally
6 recognized American Indian tribe or band in this state that appoints a liaison
7 representative to the board regarding the management of the Kickapoo valley
8 reserve.

9 **SECTION 324.** 42.09 (3) (b) of the statutes is amended to read:

10 42.09 (3) (b) The board shall develop policies encouraging each private person
11 entering into an agreement with the board under this subsection to agree that his
12 or her goal shall be to ensure that at least 25% of the employees hired to perform
13 construction work in connection with state fair park facilities or to perform
14 professional services in connection with the construction or development of those
15 facilities will be minority group members, as defined in s. ~~560.036~~ 490.04 (1) (f), and
16 that at least 5% of the employees hired to perform construction work in connection
17 with state fair park facilities or to perform professional services in connection with
18 the construction or development of those facilities will be women.

is renumbered 41.53 (1) (h) and

19 **SECTION 325.** 44.53 (1) (h) of the statutes ~~is~~ amended to read:

20 ~~44.53~~ ^{41.53} (1) (h) Annually, award an amount equal to at least 5% of all state and
21 federal funds received by the board in that year for grants to artists and arts
22 organizations to artists who are minority group members and arts groups composed
23 principally of minority group members. In this paragraph, "minority group member"
24 has the meaning specified in s. ~~560.036~~ 490.04 (1) (f).

25 **SECTION 326.** 45.03 (11) (title) of the statutes is repealed.

fix component

*INSERT
71-24*

1 **SECTION 327.** 45.03 (11) (a) of the statutes is renumbered 440.03 (18) (am).

2 **SECTION 328.** 45.03 (11) (b) of the statutes is renumbered 440.03 (18) (b).

3 **SECTION 329.** 45.20 (1) (d) of the statutes is amended to read:

4 **45.20 (1) (d)** "Tuition," when referring to the ^{University of Wisconsin - Madison} University of Wisconsin System, or
5 means academic fees and segregated fees; when referring to the technical colleges,
6 means "program fees" and "additional fees" as described in s. 38.24 (1m) and (1s); and
7 when referring to a high school, a school that is approved under s. ~~45.03 (11)~~ 440.03
8 (18), or a proprietary school that is approved under s. 38.50, means the charge for the
9 courses for which a person is enrolled.

10 **SECTION 330.** 45.20 (2) (a) 1. of the statutes is amended to read:

11 **45.20 (2) (a) 1.** The department shall administer a tuition reimbursement
12 program for eligible veterans enrolling as undergraduates in any institution of
13 higher education in this state, enrolling in a school that is approved under s. ~~45.03~~
14 ~~(11)~~ 440.03 (18), enrolling in a proprietary school that is approved under s. 38.50,
15 enrolling in a public or private high school, enrolling in a tribal school; as defined in
16 s. ~~445.011~~ 115.001 (15m), in any grade from 9 to 12, or receiving a waiver of
17 nonresident tuition under s. 39.47.

18 **SECTION 331.** 45.20 (2) (a) 2. (intro.) of the statutes is amended to read:

19 **45.20 (2) (a) 2. (intro.)** A veteran who is a resident of this state and otherwise
20 qualified to receive benefits under this subsection may receive the benefits under
21 this subsection upon the completion of any correspondence courses or part-time
22 classroom study from an institution of higher education located outside this state,
23 from a school that is approved under s. ~~45.03 (11)~~ 440.03 (18), or from a proprietary
24 school that is approved under s. 38.50, if any of the following applies:

25 **SECTION 332.** 45.20 (2) (c) 1. of the statutes is amended to read:

1 45.20 (2) (c) 1. A veteran who meets the eligibility requirements under par. (b)
2 1. may be reimbursed upon satisfactory completion of an undergraduate semester in
3 any institution of higher education in this state, or upon satisfactory completion of
4 a course at any school that is approved under s. ~~45.03 (11)~~ 440.03 (18), any
5 proprietary school that is approved under s. 38.50, any public or private high school,
6 any tribal school, as defined in s. 115.001 (15m), that operates any grade from 9 to
7 12, or any institution from which the veteran receives a waiver of nonresident tuition
8 under s. 39.47. Except as provided in par. (e), the amount of reimbursement may not
9 exceed the total cost of the veteran's tuition minus any grants or scholarships that
10 the veteran receives specifically for the payment of the tuition, or, if the tuition is for
11 an undergraduate semester in any institution of higher education, the standard cost
12 of tuition for a state resident for an equivalent undergraduate semester at the
13 University of Wisconsin-Madison, whichever is less.

14 **SECTION 333.** 45.20 (2) (d) 1. (intro.) of the statutes is amended to read:

15 45.20 (2) (d) 1. (intro.) Subject to subd. 1m., a veteran's eligibility for
16 reimbursement under this subsection at any institution of higher education in this
17 state, at a school that is approved under s. ~~45.03 (11)~~ 440.03 (18), at a proprietary
18 school that is approved under s. 38.50, at a public or private high school, at a tribal
19 school, as defined in s. 115.001 (15m), that operates any grade from 9 to 12, or at an
20 institution where he or she is receiving a waiver of nonresident tuition under s. 39.47
21 is limited to the following:

22 **SECTION 334.** 46.29 (3) (e) of the statutes is amended to read:

23 46.29 (3) (e) The secretary of ~~commerce~~ safety and professional services.

24 **SECTION 335.** 46.90 (1) (gr) 3. of the statutes is amended to read:

1 46.90 (1) (gr) 3. The department of ~~regulation and licensing~~ safety and
2 professional services.

3 **SECTION 336.** 46.90 (5m) (br) 5. of the statutes is amended to read:

4 46.90 (5m) (br) 5. Refer the case to the department of ~~regulation and licensing~~
5 safety and professional services if the financial exploitation, neglect, self-neglect, or
6 abuse involves an individual who is required to hold a credential, as defined in s.
7 440.01 (2) (a), under chs. 440 to 460.

8 **SECTION 337.** 48.67 (intro.) of the statutes is amended to read:

9 **48.67 Rules governing child welfare agencies, child care centers,**
10 **foster homes, group homes, shelter care facilities, and county departments.**

11 (intro.) The department shall promulgate rules establishing minimum
12 requirements for the issuance of licenses to, and establishing standards for the
13 operation of, child welfare agencies, child care centers, foster homes, group homes,
14 shelter care facilities, and county departments. Those rules shall be designed to
15 protect and promote the health, safety, and welfare of the children in the care of all
16 licensees. The department shall consult with the department of ~~commerce~~ safety
17 and professional services, the department of public instruction, and the child abuse
18 and neglect prevention board before promulgating those rules. For foster homes,
19 those rules shall include the rules promulgated under s. 48.62 (8). Those rules shall
20 include rules that require all of the following:

21 **SECTION 338.** 48.685 (2) (am) 3. of the statutes is amended to read:

22 48.685 (2) (am) 3. Information maintained by the department of ~~regulation and~~
23 ~~licensing~~ safety and professional services regarding the status of the person's
24 credentials, if applicable.

25 **SECTION 339.** 48.685 (2) (b) 1. c. of the statutes is amended to read:

1 48.685 (2) (b) 1. c. Information maintained by the department of ~~regulation and~~
2 ~~licensing safety and professional services~~ regarding the status of the person's
3 credentials, if applicable.

4 **SECTION 340.** 48.685 (4m) (a) 5. of the statutes is amended to read:

5 48.685 (4m) (a) 5. That, in the case of a position for which the person must be
6 credentialed by the department of ~~regulation and licensing safety and professional~~
7 ~~services~~, the person's credential is not current or is limited so as to restrict the person
8 from providing adequate care to a client.

9 **SECTION 341.** 48.685 (4m) (b) 5. of the statutes is amended to read:

10 48.685 (4m) (b) 5. That, in the case of a position for which the person must be
11 credentialed by the department of ~~regulation and licensing safety and professional~~
12 ~~services~~, the person's credential is not current or is limited so as to restrict the person
13 from providing adequate care to a client.

14 **SECTION 342.** 48.78 (2) (g) of the statutes is amended to read:

15 48.78 (2) (g) Paragraph (a) does not prohibit an agency from disclosing
16 information about an individual in its care or legal custody on the written request
17 of the department of ~~regulation and licensing safety and professional services~~ or of
18 any interested examining board or affiliated credentialing board in that department
19 for use in any investigation or proceeding relating to any alleged misconduct by any
20 person who is credentialed or who is seeking credentialing under ch. 448, 455 or 457.
21 Unless authorized by an order of the court, the department of ~~regulation and~~
22 ~~licensing safety and professional services~~ and any examining board or affiliated
23 credentialing board in that department shall keep confidential any information
24 obtained under this paragraph and may not disclose the name of or any other
25 identifying information about the individual who is the subject of the information

1 disclosed, except to the extent that redisclosure of that information is necessary for
2 the conduct of the investigation or proceeding for which that information was
3 obtained.

4 **SECTION 343.** 49.165 (2) (c) (intro.) of the statutes is amended to read:

5 49.165 (2) (c) (intro.) No grant may be made to an organization which provides
6 or will provide shelter facilities unless the department of ~~commerce~~ safety and
7 professional services determines that the physical plant of the facility will not be
8 dangerous to the health or safety of the residents when the facility is in operation.
9 No grant may be given to an organization which provides or will provide shelter
10 facilities or private home shelter care unless the organization ensures that the
11 following services will be provided either by that organization or by another
12 organization, person or agency:

13 **SECTION 344.** 49.47 (4) (i) 1. of the statutes is amended to read:

14 49.47 (4) (i) 1. The department shall request a waiver from the secretary of the
15 federal department of health and human services to permit the application of subd.
16 2. The waiver shall request approval to implement the waiver on a statewide basis,
17 unless the department of health services determines that statewide implementation
18 of the waiver would present an obstacle to the approval of the waiver by the secretary
19 of the federal department of health and human services, in which case the waiver
20 shall request approval to implement the waiver in 48 pilot counties to be selected by
21 the department of health services. Within 30 days after August 12, 1993, the
22 department of ~~regulation and licensing~~ safety and professional services shall notify
23 funeral directors licensed under ch. 445, cemetery associations, as defined in s.
24 157.061 (1r), and cemetery authorities, as defined in s. 157.061 (2), of the terms of
25 the waiver required to be requested under this subdivision. If the waiver is approved

1 by the secretary of the federal department of health and human services and if the
2 waiver remains in effect, subd. 2. shall apply.

3 **SECTION 345.** 49.857 (1) (c) of the statutes is amended to read:

4 49.857 (1) (c) "Credentialing board" means a board, examining board or
5 affiliated credentialing board in the department of ~~regulation and licensing~~ safety
6 and professional services that grants a credential.

7 **SECTION 346.** 49.857 (2) (b) 1. of the statutes is amended to read:

8 49.857 (2) (b) 1. The circumstances under which the licensing authority or the
9 licensing agency must restrict, limit, suspend, withhold, deny, refuse to grant or
10 issue or refuse to renew or revalidate a license and guidelines for determining the
11 appropriate action to take. The memorandum of understanding with the
12 department of ~~regulation and licensing~~ safety and professional services shall include
13 the circumstances under which the department of ~~regulation and licensing~~ safety
14 and professional services shall direct a credentialing board to restrict, limit,
15 suspend, withhold, deny or refuse to grant a credential and guidelines for
16 determining the appropriate action to take. The guidelines under this subdivision
17 for determining the appropriate action to take shall require the consideration of
18 whether the action is likely to have an adverse effect on public health, safety or
19 welfare or on the environment, and of whether the action is likely to adversely affect
20 individuals other than the individual holding or applying for the license, such as
21 employees of that individual.

22 **SECTION 347.** 49.857 (2) (b) 2. a. of the statutes is amended to read:

23 49.857 (2) (b) 2. a. Certifying to the licensing authority or licensing agency a
24 delinquency in support or a failure to comply with a subpoena or warrant. The
25 memorandum of understanding with the department of ~~regulation and licensing~~

1 safety and professional services shall include procedures for the department of
2 ~~regulation and licensing~~ safety and professional services to notify a credentialing
3 board that a certification of delinquency in support or failure to comply with a
4 subpoena or warrant has been made by the department of children and families with
5 respect to an individual who holds or applied for a credential granted by the
6 credentialing board.

7 **SECTION 348.** 49.857 (2) (b) 2. c. of the statutes is amended to read:

8 49.857 (2) (b) 2. c. Notifying the licensing authority or licensing agency that an
9 individual has paid delinquent support or made satisfactory alternative payment
10 arrangements or satisfied the requirements under a subpoena or warrant. The
11 memorandum of understanding with the department of ~~regulation and licensing~~
12 safety and professional services shall include procedures for the department of
13 ~~regulation and licensing~~ safety and professional services to notify a credentialing
14 board that an individual who holds or applied for a credential granted by the
15 credentialing board has paid delinquent support or made satisfactory alternative
16 payment arrangements or satisfied the requirements under a subpoena or warrant.

17 **SECTION 349.** 49.857 (2) (b) 3. a. of the statutes is amended to read:

18 49.857 (2) (b) 3. a. Restricting, limiting, suspending, withholding, denying,
19 refusing to grant or issue or refusing to renew or revalidate a license. The
20 memorandum of understanding with the department of ~~regulation and licensing~~
21 safety and professional services shall include procedures for the department of
22 ~~regulation and licensing~~ safety and professional services to direct a credentialing
23 board to restrict, limit, suspend, withhold, deny or refuse to grant a credential.

24 **SECTION 350.** 49.857 (2) (b) 3. c. of the statutes is amended to read:

1 49.857 (2) (b) 3. c. Issuing or reinstating a license if the department of children
2 and families notifies the licensing authority or licensing agency that an individual
3 who was delinquent in making court-ordered payments of support has paid the
4 delinquent support or made satisfactory alternative payment arrangements or that
5 an individual who failed to comply with a subpoena or warrant has satisfied the
6 requirements under the subpoena or warrant. The memorandum of understanding
7 with the department of ~~regulation and licensing~~ safety and professional services
8 shall include procedures for the department of ~~regulation and licensing~~ safety and
9 professional services to direct a credentialing board to grant or reinstate a credential
10 if the department of children and families notifies the department of ~~regulation and~~
11 ~~licensing~~ safety and professional services that an individual who holds or applied for
12 a credential granted by the credentialing board has paid the delinquent support or
13 made satisfactory alternative payment arrangements or that an individual who
14 failed to comply with a subpoena or warrant has satisfied the requirements under
15 the subpoena or warrant.

16 **SECTION 351.** 49.857 (3) (a) 1. of the statutes is amended to read:

17 49.857 (3) (a) 1. That a certification of delinquency in paying support will be
18 made to a licensing authority, a licensing agency or, with respect to a credential
19 granted by a credentialing board, the department of ~~regulation and licensing~~ safety
20 and professional services.

21 **SECTION 352.** 49.857 (3) (am) 1. of the statutes is amended to read:

22 49.857 (3) (am) 1. That the individual's name has been placed on a certification
23 list, which will be provided to a licensing authority, a licensing agency or, with respect
24 to a credential granted by a credentialing board, the department of ~~regulation and~~
25 ~~licensing~~ safety and professional services.

1 **SECTION 353.** 49.857 (3) (b) 1. of the statutes is amended to read:

2 49.857 (3) (b) 1. That a certification of the failure to comply with a subpoena
3 or warrant will be made to a licensing authority, a licensing agency or, with respect
4 to a credential granted by a credentialing board, the department of ~~regulation and~~
5 licensing safety and professional services.

6 **SECTION 354.** 49.857 (3) (c) (intro.) of the statutes is amended to read:

7 49.857 (3) (c) (intro.) If the department of children and families provides a
8 certification list to a licensing authority, a licensing agency or, with respect to a
9 credential granted by a credentialing board, the department of ~~regulation and~~
10 licensing safety and professional services, upon receipt of the list the licensing
11 authority if the licensing authority agrees, the licensing agency or, with respect to
12 a credential granted by a credentialing board, the department of ~~regulation and~~
13 licensing safety and professional services shall do all of the following:

14 **SECTION 355.** 49.857 (3) (d) 1. of the statutes is amended to read:

15 49.857 (3) (d) 1. Subject to sub. (2) (d), if an individual who, on the basis of
16 delinquent support, is denied a license or whose license, on the basis of delinquent
17 support, is restricted, limited, suspended, or refused renewal or revalidation under
18 a memorandum of understanding entered into under sub. (2) (b) pays the delinquent
19 amount of support in full or makes satisfactory alternative payment arrangements,
20 the department of children and families shall immediately notify the licensing
21 authority or licensing agency to issue or reinstate the individual's license as provided
22 in the memorandum of understanding. If the individual held or applied for a
23 credential granted by a credentialing board, the department of ~~regulation and~~
24 licensing safety and professional services shall, upon notice by the department of

1 children and families, notify the credentialing board to grant or reinstate the
2 individual's credential.

3 **SECTION 356.** 49.857 (3) (d) 2. of the statutes is amended to read:

4 49.857 (3) (d) 2. Subject to sub. (2) (d), if an individual who, on the basis of a
5 failure to comply with a subpoena or warrant, is denied a license or whose license,
6 on the basis of a failure to comply with a subpoena or warrant, is restricted, limited,
7 suspended, or refused renewal or revalidation under a memorandum of
8 understanding entered into under sub. (2) (b) satisfies the requirements under the
9 subpoena or warrant, the department of children and families shall immediately
10 notify the licensing authority or licensing agency to issue or reinstate the individual's
11 license as provided in the memorandum of understanding. If the individual held or
12 applied for a credential granted by a credentialing board, the department of
13 ~~regulation and licensing~~ safety and professional services shall, upon notice by the
14 department of children and families, notify the credentialing board to grant or
15 reinstate the individual's credential.

16 **SECTION 357.** 49.857 (4) of the statutes is amended to read:

17 49.857 (4) Each licensing agency shall enter into a memorandum of
18 understanding with the department of children and families under sub. (2) (b) and
19 shall cooperate with the department of children and families in its administration
20 of s. 49.22. The department of ~~regulation and licensing~~ safety and professional
21 services shall enter into a memorandum of understanding with the department of
22 children and families on behalf of a credentialing board with respect to a credential
23 granted by the credentialing board.

24 **SECTION 358.** 50.01 (1g) (c) of the statutes is amended to read:

25 50.01 (1g) (c) A shelter facility as defined under s. ~~560.9808~~ 234.5608 (1) (d).

1 **SECTION 359.** 50.02 (1) of the statutes is amended to read:

2 50.02 (1) DEPARTMENTAL AUTHORITY. The department may provide uniform,
3 statewide licensing, inspection, and regulation of community-based residential
4 facilities and nursing homes as provided in this subchapter. The department shall
5 certify, inspect, and otherwise regulate adult family homes, as specified under ~~ss.~~
6 ~~50.031 and~~ ^{s.} 50.032 and shall license adult family homes, as specified under s. 50.033.
7 Nothing in this subchapter may be construed to limit the authority of the department
8 of ~~commerce~~ safety and professional services or of municipalities to set standards of
9 building safety and hygiene, but any local orders of municipalities shall be consistent
10 with uniform, statewide regulation of community-based residential facilities. The
11 department may not prohibit any nursing home from distributing over-the-counter
12 drugs from bulk supply. The department may consult with nursing homes as needed
13 and may provide specialized consultations when requested by any nursing home,
14 separate from its inspection process, to scrutinize any particular questions the
15 nursing home raises. The department shall, by rule, define "specialized
16 consultation".

17 **SECTION 360.** 50.02 (2) (a) of the statutes is amended to read:

18 50.02 (2) (a) The department, by rule, shall develop, establish and enforce
19 regulations and standards for the care, treatment, health, safety, rights, welfare and
20 comfort of residents in community-based residential facilities and nursing homes
21 and for the construction, general hygiene, maintenance and operation of those
22 facilities which, in the light of advancing knowledge, will promote safe and adequate
23 accommodation, care and treatment of residents in those facilities; and promulgate
24 and enforce rules consistent with this section. Such standards and rules shall
25 provide that intermediate care facilities, which have 16 or fewer beds may, if

1 exempted from meeting certain physical plant, staffing and other requirements of
2 the federal regulations, be exempted from meeting the corresponding provisions of
3 the department's standards and rules. The department shall consult with the
4 department of ~~e-commerce~~ safety and professional services when developing
5 exemptions relating to physical plant requirements.

6 **SECTION 361.** 50.035 (2) (a) 3. of the statutes is amended to read:

7 50.035 (2) (a) 3. The department or the department of ~~e-commerce~~ safety and
8 professional services may waive the requirement under subd. 1. or 2. for a
9 community-based residential facility that has a smoke detection or sprinkler system
10 in place that is at least as effective for fire protection as the type of system required
11 under the relevant subdivision.

12 **SECTION 362.** 50.035 (2) (b) (intro.) of the statutes is amended to read:

13 50.035 (2) (b) (intro.) No facility may install a smoke detection system that fails
14 to receive the approval of the department or of the department of ~~e-commerce~~ safety
15 and professional services. At least one smoke detector shall be located at each of the
16 following locations:

17 **SECTION 363.** 50.065 (2) (am) 3. of the statutes is amended to read:

18 50.065 (2) (am) 3. Information maintained by the department of ~~regulation and~~
19 ~~licensing~~ safety and professional services regarding the status of the person's
20 credentials, if applicable.

21 **SECTION 364.** 50.065 (2) (b) 3. of the statutes is amended to read:

22 50.065 (2) (b) 3. Information maintained by the department of ~~regulation and~~
23 ~~licensing~~ safety and professional services regarding the status of the person's
24 credentials, if applicable.

25 **SECTION 365.** 50.065 (4m) (a) 5. of the statutes is amended to read:

1 50.065 (4m) (a) 5. That, in the case of a position for which the person must be
2 credentialed by the department of ~~regulation and licensing~~ safety and professional
3 services, the person's credential is not current or is limited so as to restrict the person
4 from providing adequate care to a client.

5 **SECTION 366.** 50.065 (4m) (b) 5. of the statutes is amended to read:

6 50.065 (4m) (b) 5. That, in the case of a position for which the person must be
7 credentialed by the department of ~~regulation and licensing~~ safety and professional
8 services, the person's credential is not current or is limited so as to restrict the person
9 from providing adequate care to a client.

10 **SECTION 367.** 50.36 (1) of the statutes is amended to read:

11 50.36 (1) The department shall promulgate, adopt, amend and enforce such
12 rules and standards for hospitals for the construction, maintenance and operation
13 of the hospitals deemed necessary to provide safe and adequate care and treatment
14 of the patients in the hospitals and to protect the health and safety of the patients
15 and employees; and nothing contained herein shall pertain to a person licensed to
16 practice medicine and surgery or dentistry. The building codes and construction
17 standards of the department of ~~commerce~~ safety and professional services shall
18 apply to all hospitals and the department may adopt additional construction codes
19 and standards for hospitals, provided they are not lower than the requirements of
20 the department of ~~commerce~~ safety and professional services. Except for the
21 construction codes and standards of the department of ~~commerce~~ safety and
22 professional services and except as provided in s. 50.39 (3), the department shall be
23 the sole agency to adopt and enforce rules and standards pertaining to hospitals.

24 **SECTION 368.** 50.36 (6) of the statutes is amended to read:

1 50.36 (6) If the department receives a credible complaint that a pharmacy
2 located in a hospital has violated its duty to dispense contraceptive drugs and devices
3 under s. 450.095 (2), the department shall refer the complaint to the department of
4 ~~regulation and licensing~~ safety and professional services.

5 **SECTION 369.** 51.35 (5) of the statutes is amended to read:

6 51.35 (5) RESIDENTIAL LIVING ARRANGEMENTS; TRANSITIONARY SERVICES. The
7 department and any person, director, or board authorized to discharge or transfer
8 patients under this section shall ensure that a proper residential living arrangement
9 and the necessary transitional services are available and provided for the patient
10 being discharged or transferred. Under this subsection, a proper residential living
11 arrangement may not include a shelter facility, as defined under s. ~~560.9808~~
12 234.5608 (1) (d), unless the discharge or transfer to the shelter facility is made on an
13 emergency basis for a period not to exceed 10 days.

14 **SECTION 370.** 51.42 (7) (a) 7. of the statutes is amended to read:

15 51.42 (7) (a) 7. Develop a program in consultation with the department of
16 ~~regulation and licensing~~ safety and professional services to use voluntary,
17 uncompensated services of licensed or certified professionals to assist the
18 department of health services in evaluating community mental health programs in
19 exchange for continuing education credits for the professionals under ss. 448.40 (2)
20 (e) and 455.065 (5).

21 **SECTION 371.** 55.043 (4) (b) 5. of the statutes is amended to read:

22 55.043 (4) (b) 5. Refer the case to the department of ~~regulation and licensing~~
23 safety and professional services if the financial exploitation, neglect, self-neglect, or
24 abuse involves an individual who is required to hold a credential, as defined in s.
25 440.01 (2) (a), under chs. 440 to 460.

1 **SECTION 372.** 59.27 (10) of the statutes is amended to read:

2 59.27 (10) To enforce in the county all general orders of the department of
3 ~~commerce~~ safety and professional services relating to the sale, transportation and
4 storage of explosives.

5 **SECTION 373.** 59.57 (1) (a) of the statutes is amended to read:

6 59.57 (1) (a) Subject to par. (b), the board may appropriate money for and create
7 a county industrial development agency or to any nonprofit agency organized to
8 engage or engaging in activities described in this paragraph, appoint an executive
9 officer and provide a staff and facilities to promote and develop the resources of the
10 county and of its component municipalities. To this end the agency may, without
11 limitation because of enumeration, develop data regarding the industrial needs,
12 advantages and sites in the county, acquaint the purchaser with the products of the
13 county by promotional activities, coordinate its work with that of the county
14 planning commission, the ~~department of commerce~~ Wisconsin Economic
15 Development Corporation, and private credit development corporations, and do all
16 things necessary to provide for the continued improvement of the industrial climate
17 of the county.

18 **SECTION 374.** 59.57 (1) (b) of the statutes is amended to read:

19 59.57 (1) (b) If a county with a population of 500,000 or more appropriates
20 money under par. (a) to fund nonprofit agencies, the county shall have a goal of
21 expending 20% of the money appropriated for this purpose to fund a nonprofit agency
22 that is actively managed by minority group members, as defined in s. ~~560.036~~ 490.04
23 (1) (f), and that principally serves minority group members.

24 **SECTION 375.** 59.69 (4c) of the statutes is amended to read:

1 59.69 (4c) CONSTRUCTION SITE ORDINANCE LIMITS. Except as provided in s. ~~281.33~~
2 ~~(3m) (f) 101.1206 (5m)~~, an ordinance that is enacted under sub. (4) may only include
3 provisions that are related to construction site erosion control if those provisions are
4 limited to sites where the construction activities do not include the construction of
5 a building.

6 **SECTION 376.** 59.691 (2) (b) 1. of the statutes is amended to read:

7 59.691 (2) (b) 1. A county is not required to give the notice under par. (a) at the
8 time that it issues a building permit if the county issues the building permit on a
9 standard building permit form prescribed by the department of ~~commerce~~ safety and
10 professional services.

11 **SECTION 377.** 60.23 (4) (c) of the statutes is amended to read:

12 60.23 (4) (c) Coordinate its activities with the county planning commission, the
13 ~~department of commerce~~ Wisconsin Economic Development Corporation, and
14 private credit development organizations.

15 **SECTION 378.** 60.625 (2) (b) 1. of the statutes is amended to read:

16 60.625 (2) (b) 1. A town is not required to give the notice under par. (a) at the
17 time that it issues a building permit if the town issues the building permit on a
18 standard building permit form prescribed by the department of ~~commerce~~ safety and
19 professional services.

20 **SECTION 379.** 60.71 (4) (b) of the statutes is amended to read:

21 60.71 (4) (b) The town board shall publish a class 2 notice, under ch. 985, of the
22 hearing. The notice shall contain an announcement of the hearing and a description
23 of the boundaries of the proposed town sanitary district. The town board shall mail
24 the notice to the department of ~~commerce~~ safety and professional services and the
25 department of natural resources at least 10 days prior to the hearing.

1 **SECTION 380.** 60.71 (4) (c) of the statutes is amended to read:

2 60.71 (4) (c) Any person may file written comments on the formation of the
3 district with the town clerk. Any owner of property within the boundary of the
4 proposed district may appear at the hearing and offer objections, criticisms or
5 suggestions as to the necessity of the proposed district and the question of whether
6 his or her property will be benefited by the establishment of the district. A
7 representative of the department of ~~eommerce~~ safety and professional services and
8 of the department of natural resources may attend the hearing and advise the town
9 board.

10 **SECTION 381.** 60.85 (14) of the statutes is repealed.

11 **SECTION 382.** 61.352 (2) (b) 1. of the statutes is amended to read:

12 61.352 (2) (b) 1. A village is not required to give the notice under par. (a) at the
13 time that it issues a building permit if the village issues the building permit on a
14 standard building permit form prescribed by the department of ~~eommerce~~ safety and
15 professional services.

16 **SECTION 383.** 62.232 (2) (b) 1. of the statutes is amended to read:

17 62.232 (2) (b) 1. A city is not required to give the notice under par. (a) at the time
18 that it issues a building permit if the city issues the building permit on a standard
19 building permit form prescribed by the department of ~~eommerce~~ safety and
20 professional services.

21 **SECTION 384.** 66.0211 (5) of the statutes is amended to read:

22 66.0211 (5) CERTIFICATION OF INCORPORATION. If a majority of the votes in an
23 incorporation referendum are cast in favor of a village or city, the clerk of the circuit
24 court shall certify the fact to the secretary of state and supply the secretary of state
25 with a copy of a description of the legal boundaries of the village or city and the

1 associated population and a copy of a plat of the village or city. Within 10 days of
2 receipt of the description and plat, the secretary of state shall forward 2 copies to the
3 department of transportation and one copy each to the department of
4 administration, and the department of revenue ~~and the department of commerce~~.
5 The secretary of state shall issue a certificate of incorporation and record the
6 certificate.

7 **SECTION 385.** 66.0309 (3) (a) 3. of the statutes is repealed.

8 **SECTION 386.** 66.1103 (4m) (a) 1. of the statutes is amended to read:

9 66.1103 (4m) (a) 1. The person, at least 30 days prior to entering into the
10 revenue agreement, has given a notice of intent to enter into the agreement, on a
11 form prescribed under s. ~~560.034~~ 238.11 (1), to the ~~department of commerce~~
12 Wisconsin Economic Development Corporation and to any collective bargaining
13 agent in this state with whom the person has a collective bargaining agreement.

14 **SECTION 387.** 66.1103 (4m) (a) 2. of the statutes is amended to read:

15 66.1103 (4m) (a) 2. The municipality or county has received an estimate issued
16 under s. ~~560.034~~ 238.11 (5) (a), and the ~~department of commerce~~ Wisconsin Economic
17 Development Corporation has estimated whether the project which the municipality
18 or county would finance under the revenue agreement is expected to eliminate,
19 create, or maintain jobs on the project site and elsewhere in this state and the net
20 number of jobs expected to be eliminated, created, or maintained as a result of the
21 project.

22 **SECTION 388.** 66.1103 (4m) (b) of the statutes is amended to read:

23 66.1103 (4m) (b) Any revenue agreement which an eligible participant enters
24 into with a municipality or county to finance a project shall require the eligible
25 participant to submit to the ~~department of commerce~~ Wisconsin Economic

1 Development Corporation within 12 months after the project is completed or 2 years
2 after a revenue bond is issued to finance the project, whichever is sooner, on a form
3 prescribed under s. ~~560.034~~ 238.11 (1), the net number of jobs eliminated, created,
4 or maintained on the project site and elsewhere in this state as a result of the project.

5 **SECTION 389.** 66.1103 (4s) (a) 1. of the statutes is amended to read:

6 66.1103 (4s) (a) 1. "~~Department~~" "Corporation" means the ~~department of~~
7 ~~commerce~~ Wisconsin Economic Development Corporation.

8 **SECTION 390.** 66.1103 (4s) (b) 3. of the statutes is amended to read:

9 66.1103 (4s) (b) 3. The employer shall certify compliance with this subsection
10 to the ~~department~~ corporation, to the governing body of each municipality or county
11 within which a lost job exists and to any collective bargaining agent in this state with
12 which the employer has a collective bargaining agreement at the project site or at a
13 site where a lost job exists.

14 **SECTION 391.** 66.1103 (4s) (b) 4. of the statutes is amended to read:

15 66.1103 (4s) (b) 4. The employer shall submit a report to the ~~department~~
16 corporation every 3 months during the first year after the construction of the project
17 is completed. The reports shall provide information about new jobs, lost jobs, and
18 offers of employment made to persons who were formerly employed at lost jobs. The
19 4th report shall be the final report. The form and content of the reports shall be
20 prescribed by the ~~department~~ corporation under par. (d).

21 **SECTION 392.** 66.1103 (4s) (d) of the statutes is amended to read:

22 66.1103 (4s) (d) The ~~department~~ corporation shall administer this subsection
23 and shall prescribe forms for certification and reports under par. (b).

24 **SECTION 393.** 66.1103 (10) (c) of the statutes is amended to read:

1 66.1103 (10) (c) A copy of the initial resolution together with a statement
2 indicating when the public notice required under par. (b) was published shall be filed
3 with the ~~secretary of commerce~~ Wisconsin Economic Development Corporation
4 within 20 days following publication of notice. Prior to the closing of the bond issue,
5 the ~~secretary~~ corporation may require additional information from the eligible
6 participant or the municipality or county. After the closing of the bond issue, the
7 ~~secretary~~ corporation shall be notified of the closing date, any substantive changes
8 made to documents previously filed with the ~~secretary~~ corporation, and the principal
9 amount of the financing.

10 **SECTION 394.** 66.1103 (10) (g) of the statutes is amended to read:

11 66.1103 (10) (g) Bonds may not be issued unless prior to adoption of an initial
12 resolution a document which provides a good faith estimate of attorney fees which
13 will be paid from bond proceeds is filed with the clerk of the municipality or county
14 and the ~~department of commerce~~ Wisconsin Economic Development Corporation.

15 **SECTION 395.** 66.1104 of the statutes is repealed.

16 **SECTION 396.** 66.1105 (13) of the statutes is repealed.

17 **SECTION 397.** 67.05 (6a) (bg) 2. of the statutes is amended to read:

18 67.05 (6a) (bg) 2. The department of ~~commerce~~ safety and professional services
19 shall determine for each grade level in which pupils attended school in a building
20 described in subd. 1., the average cost per square foot for, and the average number
21 of square feet per pupil included in, 2 recently constructed school buildings that were
22 designed to serve pupils of that grade level, as selected by that department.

23 **SECTION 398.** 67.12 (12) (e) 2r. b. of the statutes is amended to read:

24 67.12 (12) (e) 2r. b. The department of ~~commerce~~ safety and professional
25 services shall determine, for each grade level in which pupils attended school in a

1 building described in subd. 2r. a., the average cost per square foot for, and the average
2 number of square feet per pupil included in, 2 recently constructed school buildings
3 that were designed to serve pupils of that grade level, as selected by that department.

4 **SECTION 399.** 71.05 (24) (a) 4. of the statutes is amended to read:

5 71.05 (24) (a) 4. "Qualified new business venture" means a business certified
6 ~~by the department of commerce~~ under s. 238.20 or s. 560.2085, 2009 stats.

7 **SECTION 400.** 71.07 (2dd) (b) of the statutes is amended to read:

8 71.07 (2dd) (b) Except as provided in s. 73.03 (35), for any taxable year for
9 which that person is certified under s. 560.765 (3), 2009 stats., and begins business
10 operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, or certified
11 under s. 560.797 (4) (a), 2009 stats., for each zone for which the person is certified
12 or entitled a person may credit against taxes otherwise due under this subchapter
13 employment-related day care expenses, up to \$1,200 for each qualifying individual.

14 **SECTION 401.** 71.07 (2de) (a) (intro.) of the statutes is amended to read:

15 71.07 (2de) (a) (intro.) Except as provided in s. 73.03 (35), for any taxable year
16 for which a person is certified under s. 560.765 (3), 2009 stats., and begins business
17 operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, or certified
18 under s. 560.797 (4) (a), 2009 stats., for each zone for which the person is certified
19 or entitled the person may claim as a credit against taxes otherwise due under this
20 subchapter an amount equal to 7.5% of the amount that the person expends to
21 remove or contain environmental pollution, as defined in s. 299.01 (4), in the zone or
22 to restore soil or groundwater that is affected by environmental pollution, as defined
23 in s. 299.01 (4), in the zone if the person fulfills all of the following requirements:

24 **SECTION 402.** 71.07 (2de) (a) 1. of the statutes is amended to read:

1 71.07 (**2de**) (a) 1. Begins the work, other than planning and investigating, for
2 which the credit is claimed after the area that includes the site where the work is
3 done is designated a development zone under s. 560.71, 2009 stats., or an enterprise
4 development zone under s. 560.797, 2009 stats., and after the claimant is certified
5 under s. 560.765 (3), 2009 stats., or certified under s. 560.797 (4) (a), 2009 stats.

6 **SECTION 403.** 71.07 (2di) (a) (intro.) of the statutes is amended to read:

7 71.07 (**2di**) (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35),
8 for any taxable year for which the person is entitled under s. 560.795 (3), 2009 stats.,
9 to claim tax benefits, any person may claim as a credit against taxes otherwise due
10 under this chapter 2.5% of the purchase price of depreciable, tangible personal
11 property, or 1.75% of the purchase price of depreciable, tangible personal property
12 that is expensed under section 179 of the internal revenue code for purposes of the
13 taxes under this chapter, except that:

14 **SECTION 404.** 71.07 (2di) (a) 1. of the statutes is amended to read:

15 71.07 (**2di**) (a) 1. The investment must be in property that is purchased after
16 the person is entitled under s. 560.795 (3), 2009 stats., to claim tax benefits and that
17 is used for at least 50% of its use in the conduct of the person's business operations
18 at a location in a development zone under subch. VI of ch. 560, 2009 stats., or, if the
19 property is mobile, the base of operations of the property for at least 50% of its use
20 must be a location in a development zone.

21 **SECTION 405.** 71.07 (2di) (b) 2. of the statutes is amended to read:

22 71.07 (**2di**) (b) 2. If the claimant is located on an Indian reservation, as defined
23 in s. 560.86 (5), 2009 stats., and is an American Indian, as defined in s. 560.86 (1),
24 2009 stats., an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal
25 enterprise, and if the allowable amount of the credit under this subsection exceeds

1 the taxes otherwise due under this chapter on or measured by the claimant's income,
2 the amount of the credit not used as an offset against those taxes shall be certified
3 to the department of administration for payment to the claimant by check, share
4 draft or other draft. In this subdivision, "tribal enterprise" means a business that
5 is at least 51% owned and controlled by the governing body of one or more Indian
6 tribes, is actively managed by the governing body, or by the designee of the governing
7 body, of one or more Indian tribes and is currently performing a useful business
8 function.

9 **SECTION 406.** 71.07 (2di) (b) 3. of the statutes is amended to read:

10 71.07 (2di) (b) 3. Partnerships, limited liability companies and tax-option
11 corporations may not claim the credit under this subsection, but the eligibility for,
12 and amount of, that credit shall be determined on the basis of their economic activity,
13 not that of their shareholders, partners or members. The corporation, partnership
14 or company shall compute the amount of the credit that may be claimed by each of
15 its shareholders, partners or members and shall provide that information to each of
16 its shareholders, partners or members. Partners, members of limited liability
17 companies and shareholders of tax-option corporations may claim the credit based
18 on the partnership's, company's or corporation's activities in proportion to their
19 ownership interest and may offset it against the tax attributable to their income from
20 the partnership's, company's or corporation's business operations in the
21 development zone; except that partners, members, and shareholders in a
22 development zone under s. 560.795 (1) (e), 2009 stats., may offset the credit against
23 the amount of the tax attributable to their income from all of the partnership's,
24 company's, or corporation's business operations; and against the tax attributable to

1 their income from the partnership's, company's or corporation's directly related
2 business operations.

3 **SECTION 407.** 71.07 (2di) (d) 1. of the statutes is amended to read:

4 71.07 (2di) (d) 1. A copy of a verification from the department of commerce that
5 the claimant may claim tax benefits under s. 560.795 (3), 2009 stats.

6 **SECTION 408.** 71.07 (2di) (f) of the statutes is amended to read:

7 71.07 (2di) (f) If a person who is entitled under s. 560.795 (3), 2009 stats., to
8 claim tax benefits becomes ineligible for such tax benefits, that person may claim no
9 credits under this subsection for the taxable year that includes the day on which the
10 person becomes ineligible for tax benefits or succeeding taxable years and that
11 person may carry over no unused credits from previous years to offset tax under this
12 chapter for the taxable year that includes the day on which the person becomes
13 ineligible for tax benefits or succeeding taxable years.

14 **SECTION 409.** 71.07 (2di) (g) of the statutes is amended to read:

15 71.07 (2di) (g) If a person who is entitled under s. 560.795 (3), 2009 stats., to
16 claim tax benefits ceases business operations in the development zone during any of
17 the taxable years that that zone exists, that person may not carry over to any taxable
18 year following the year during which operations cease any unused credits from the
19 taxable year during which operations cease or from previous taxable years.

20 **SECTION 410.** 71.07 (2dj) (am) (intro.) of the statutes is amended to read:

21 71.07 (2dj) (am) (intro.) Except as provided under par. (f) or s. 73.03 (35) for any
22 taxable year for which the person is certified under s. 560.765 (3), 2009 stats., for tax
23 benefits, any person may claim as a credit against taxes otherwise due under this
24 chapter an amount calculated as follows:

25 **SECTION 411.** 71.07 (2dj) (am) 4. a. of the statutes is amended to read:

1 71.07 (2dj) (am) 4. a. If certified under s. 560.765 (3), 2009 stats., for tax
2 benefits before January 1, 1992, modify “qualified wages” as defined in section 51 (b)
3 of the internal revenue code to exclude wages paid before the claimant is certified for
4 tax benefits and to exclude wages that are paid to employees for work at any location
5 that is not in a development zone under subch. VI of ch. 560, 2009 stats. For purposes
6 of this subd. 4. a., mobile employees work at their base of operations and leased or
7 rented employees work at the location where they perform services.

8 **SECTION 412.** 71.07 (2dj) (am) 4. b. of the statutes is amended to read:

9 71.07 (2dj) (am) 4. b. If certified under s. 560.765 (3), 2009 stats., for tax
10 benefits after December 31, 1991, modify “qualified wages” as defined in section 51
11 (b) of the internal revenue code to exclude wages paid before the claimant is certified
12 for tax benefits and to exclude wages that are paid to employees for work at any
13 location that is not in a development zone under subch. VI of ch. 560, 2009 stats. For
14 purposes of this subd. 4. b., mobile employees and leased or rented employees work
15 at their base of operations.

16 **SECTION 413.** 71.07 (2dj) (am) 4c. of the statutes is amended to read:

17 71.07 (2dj) (am) 4c. Modify the rule for ineligible individuals under section 51
18 (i) (1) of the internal revenue code to allow credit for the wages of related individuals
19 paid by an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal
20 enterprise, as defined in sub. (2di) (b) 2., if the Indian business or tribal enterprise
21 is located in a development zone designated under s. 560.71 (3) (c) 2., 2009 stats.

22 **SECTION 414.** 71.07 (2dj) (am) 4t. of the statutes is amended to read:

23 71.07 (2dj) (am) 4t. If certified under s. 560.765 (3), 2009 stats., for tax benefits
24 before January 1, 1992, modify section 51 (i) (3) of the internal revenue code so that
25 for leased or rented employees, except employees of a leasing agency certified for tax

1 benefits who perform services directly for the agency in a development zone, the
2 minimum employment periods apply to the time that they perform services in a
3 development zone for a single lessee or renter, not to their employment by the leasing
4 agency.

5 **SECTION 415.** 71.07 (2dj) (e) 1. of the statutes is amended to read:

6 71.07 (2dj) (e) 1. A copy of the claimant's certification for tax benefits under s.
7 560.765 (3), 2009 stats.

8 **SECTION 416.** 71.07 (2dj) (e) 3. a. of the statutes is amended to read:

9 71.07 (2dj) (e) 3. a. If certified under s. 560.765 (3), 2009 stats., for tax benefits
10 before January 1, 1992, a statement from the department of commerce verifying the
11 amount of qualifying wages and verifying that the employees were hired for work
12 only in a development zone or are mobile employees whose base of operations is in
13 a development zone.

14 **SECTION 417.** 71.07 (2dj) (e) 3. b. of the statutes is amended to read:

15 71.07 (2dj) (e) 3. b. If certified under s. 560.765 (3), 2009 stats., for tax benefits
16 after December 31, 1991, a statement from the department of commerce verifying the
17 amount of qualifying wages and verifying that the employees were hired for work
18 only in a development zone or are mobile employees or leased or rented employees
19 whose base of operations is in a development zone.

20 **SECTION 418.** 71.07 (2dL) (a) of the statutes is amended to read:

21 71.07 (2dL) (a) Except as provided in pars. (ag), (ar), (bm) and (f) and s. 73.03
22 (35), for any taxable year for which the person is certified under s. 560.765 (3), 2009
23 stats., for tax benefits, any person may claim as a credit against taxes otherwise due
24 under this subchapter an amount equal to 2.5% of the amount expended by that

1 person to acquire, construct, rehabilitate or repair real property in a development
2 zone under subch. VI of ch. 560, 2009 stats.

3 **SECTION 419.** 71.07 (2dL) (ag) of the statutes is amended to read:

4 71.07 (2dL) (ag) If the credit under par. (a) is claimed for an amount expended
5 to construct, rehabilitate, remodel or repair property, the claimant must have begun
6 the physical work of construction, rehabilitation, remodeling or repair, or any
7 demolition or destruction in preparation for the physical work, after the place where
8 the property is located was designated a development zone under s. 560.71, 2009
9 stats., and the completed project must be placed in service after the claimant is
10 certified for tax benefits under s. 560.765 (3), 2009 stats. In this paragraph, "physical
11 work" does not include preliminary activities such as planning, designing, securing
12 financing, researching, developing specifications or stabilizing the property to
13 prevent deterioration.

14 **SECTION 420.** 71.07 (2dL) (ar) of the statutes is amended to read:

15 71.07 (2dL) (ar) If the credit under par. (a) is claimed for an amount expended
16 to acquire property, the property must have been acquired by the claimant after the
17 place where the property is located was designated a development zone under s.
18 560.71, 2009 stats., and the completed project must be placed in service after the
19 claimant is certified for tax benefits under s. 560.765 (3), 2009 stats., and the
20 property must not have been previously owned by the claimant or a related person
21 during the 2 years prior to the designation of the development zone under s. 560.71,
22 2009 stats. No credit is allowed for an amount expended to acquire property until
23 the property, either in its original state as acquired by the claimant or as
24 subsequently constructed, rehabilitated, remodeled or repaired, is placed in service.

25 **SECTION 421.** 71.07 (2dL) (bm) of the statutes is amended to read:

1 71.07 (2dL) (bm) In calculating the credit under par. (a) a claimant shall reduce
2 the amount expended to acquire property by a percentage equal to the percentage of
3 the area of the real property not used for the purposes for which the claimant is
4 certified to claim tax benefits under s. 560.765 (3), 2009 stats., and shall reduce the
5 amount expended for other purposes by the amount expended on the part of the
6 property not used for the purposes for which the claimant is certified to claim tax
7 benefits under s. 560.765 (3), 2009 stats.

8 **SECTION 422.** 71.07 (2dL) (c) of the statutes is amended to read:

9 71.07 (2dL) (c) If the claimant is located on an Indian reservation, as defined
10 in s. 560.86 (5), 2009 stats., and is an American Indian, as defined in s. 560.86 (1),
11 2009 stats., an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal
12 enterprise, as defined in sub. (2di) (b) 2., and if the allowable amount of the credit
13 under par. (a) exceeds the taxes otherwise due under this chapter on or measured by
14 the claimant's income, the amount of the credit not used as an offset against those
15 taxes shall be certified to the department of administration for payment to the
16 claimant by check, share draft or other draft.

17 **SECTION 423.** 71.07 (2dm) (a) 1. of the statutes is amended to read:

18 71.07 (2dm) (a) 1. "Certified" means entitled under s. 238.395 (3) (a) 4. or s.
19 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5),
20 238.398 (5), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats.,
21 or s. 560.7995 (4), 2009 stats.

22 **SECTION 424.** 71.07 (2dm) (a) 3. of the statutes is amended to read:

23 71.07 (2dm) (a) 3. "Development zone" means a development opportunity zone
24 under s. 238.395 (1) (e) and (f) or 238.398 or s. 560.795 (1) (e) and (f), 2009 stats., or

1 s. 560.798, 2009 stats., or an airport development zone under s. 238.3995 or s.
2 560.7995, 2009 stats.

3 **SECTION 425.** 71.07 (2dm) (a) 4. of the statutes is amended to read:

4 71.07 (2dm) (a) 4. "Previously owned property" means real property that the
5 claimant or a related person owned during the 2 years prior to the department of
6 commerce or the Wisconsin Economic Development Corporation designating the
7 place where the property is located as a development zone and for which the claimant
8 may not deduct a loss from the sale of the property to, or an exchange of the property
9 with, the related person under section 267 of the Internal Revenue Code, except that
10 section 267 (b) of the Internal Revenue Code is modified so that if the claimant owns
11 any part of the property, rather than 50% ownership, the claimant is subject to
12 section 267 (a) (1) of the Internal Revenue Code for purposes of this subsection.

13 **SECTION 426.** 71.07 (2dm) (f) 1. of the statutes is amended to read:

14 71.07 (2dm) (f) 1. A copy of ~~a~~ the verification from the department of commerce
15 that the claimant may claim tax benefits under s. 238.395 (3) (a) 4. or s. 560.795 (3)
16 (a) 4., 2009 stats., or is certified under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or
17 s. or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009
18 stats.

19 **SECTION 427.** 71.07 (2dm) (f) 2. of the statutes is amended to read:

20 71.07 (2dm) (f) 2. A statement from the department of commerce or the
21 Wisconsin Economic Development Corporation verifying the purchase price of the
22 investment and verifying that the investment fulfills the requirements under par.
23 (b).

24 **SECTION 428.** 71.07 (2dm) (i) of the statutes is amended to read: